

Judicial Administration Committee
Judicial Conference of Indiana

Minutes
May 9, 2003

The Judicial Administration Committee of the Judicial Conference of Indiana met at the Indiana Judicial Center on Friday, May 9, 2003, from 10:00 a.m. – 3:00 p.m.

1. Members present. Roland W. Chamblee, Michael H. Eldred, Steven M. Fleece, Karen M. Love, Tanya Walton Pratt, P. Thomas Snow and Frances C. Gull, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Judge Barbara Harcourt; Judge Steven R. Nation; Judge Paul Mathias; Senior Judge John L. Kellam; and Mr. Robert Womack, Computer Associates were also present.
4. Minutes approved. The minutes for the committee on April 11, 2003 were approved.
5. Standard CCS entries.
 - a. Judge Mathias said standard CCS entries are the heart of JTAC's case management system and thanked the committee for their hard work in this area. He requested a rapid response team be formed to assist in the preparation of CCS entries that would include team leaders from this committee and two or three members outside of the committee from other counties, including high volume courts. He said a data entry person would assist the team. In addition, the teams could look at computer screens proposed by Computer Associates. JTAC needs the standard CCS entries by late August. He said JTAC could pay for meetings of these teams.
 - b. Committee members proposed the following way to prepare CCS entries in all areas: JTAC would pay for overnight rooms the Thursday night before the following Friday meeting dates: June 13, July 11, and Aug. 8. The meetings would begin at 9:00 a.m. on Friday, June 13, July 11 and August 8 and meet all day on each date. JTAC would pay for a breakfast from 8:00 a.m. to 9:00 a.m. and lunch.

The committee proposed the meetings in June and July would begin with an overview of the work the already completed by the Judicial Administration Committee by having Judge Mathias, Judge Kellam and Judge Gull make a presentation. Judge Gull will videotape her comments since she will be unable to attend the June meeting. The following case types will be discussed by rapid response teams on the following dates and be led by the following Judicial Administration Committee members who will be assisted by the remaining committee members:

June 13

<u>Judge</u>	<u>Case Type</u>
Fleece	Ordinance Violations and Infractions
Pratt	PCR
Murray	PCR
Love	Small Claims
Proffitt	Domestic Relations and Paternity, Reciprocal Support
Shurn	CHINS, Juv. Del., Juv. Status Del., Juv. Misc., Terminations

Welch Protection Order

July 11

Eldred	Mortgage Foreclosure, Civil Collections, Civil Tort, and Civil Plenary
Gull	Capital Murder, Murder, A felony, Criminal Miscellaneous
Snow	Civil Plenary, Civil Tort
Horn	Probate, Estates, Guardianships, Trusts, Mental Health
Chamblee	B, C, and D felonies and misdemeanors
Proffitt	Adoptions

August 8

Final review of all case types by Judicial Administration Committee

c. Judge Eldred distributed his homework assignment and agreed to send a revised assignment before the next meeting. Judges Gull, Chamblee and Pratt agreed to review criminal CCS entries.

d. Committee members agreed to prepare a nonexclusive list of common motions for their assigned case type. Mr. Womack stated each court would be able to add to this list.

6. Next meeting. The committee agreed to hold their next meeting at the Judicial Center on the following dates: Friday, June 13, 2003; July 11, 2003; August 8, 2003 from 10:00 a.m. - 4:00 p.m. They also agreed to meet on Wed., September 10, 2003, from 10:00 a.m. - 12:00 noon in conjunction with the Judicial Conference and again on October 10, 2003 and November 21, 2003 from 10:00 a.m. - 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law

CASE TYPE - CAPITAL MURDER

Type of Action:

- | | |
|--|---|
| 1. Pre Judgment Hearings
2. Preparation for Hearing/Trial
3. Plea/Admission
4. Bench Trial/Settlement
5. Jury Trial
6. Opinions/Orders
7. Sentencing/Disposition | 8. Post Judgment Hearings
9. Community Transition
10. Research
11. Other |
|--|---|

Types 2 and 10 are not normally recorded on the CCS. Type 9 does not apply to Capital Murder cases. Type of action “CE” has been used to indicate “Clerk Entries” which are standard for capital murder cases but do not require Judge action. “SE” equals sheriff entries. “Doc” equals – the need for the court to generate a document.

<u>TYPE/ACTION</u>	<u>WCS/Notice/Calendar/RJO/Doc</u>				<u>STANDARD CCS ENTRY</u>
1,6	X			X X	Affidavit for Probable cause filed and approved on the charge of Murder. Warrant ordered.
1	X			X X	Initial probable cause hearing held. Probable cause order issued. Date set for state to file formal charges.
CE				X X	Indictment filed. Order accepting indictment and Warrant issued.
CE					Warrant returned, served on _____.
CE or SE		X	X		Initial Hearing set for _____. [RS]
1, 6	X			X X	Initial hearing held. Order entered. Public Defender Eligible.
1, 6	X				Public Defender Appointed/Denied. Retention of Counsel Hearing. Omnibus date set for _____.
CE					Written appearance filed by _____ for _____.
CE		X	X		Bond motion
1,6	X			X X	Bond hearing held. Order entered. Bond set at _____.
6				X X	Order approving transcript of _____ (Initial, Omnibus, Motions) Hearing filed and made a part of the record of proceedings.
CE					Notice of Intent to Interpose Defense of Insanity filed; to determine competency to stand trial.
1, 6	X	X	X	X	Omnibus/pretrial hearing held.
1, 6	X	X	X	X X	Trial set for _____.

6	X	X		X	X	Order appointing doctors to determine competency/sanity.
6	X	X		X	X	Order for Sheriff to transport defendant entered.
CE						Report finding defendant competent/sane filed by _____. [confidential]
1, 6	X			X	X	Hearing held re: competency. Court finds defendant competent to stand trial.
1,6	X			X	X	Hearing held re: competency. Court finds defendant incompetent to stand trial and orders a commitment pursuant to law.
1,6	X	X		X	X	Order setting case set for guilty plea on _____. -or-
1,6	X	X	X		X	Presentence Investigation Report ordered.
CE						Case set for guilty plea on _____. Guilty plea hearing held.
1,6	X	X	X	X		Guilty plea accepted.
1,6	X	X	X	X	X	Guilty plea denied.
1,6	X	X	X	X	X	Guilty plea and sentencing hearing. [Note: show disposition of counts at sentencing.]
CE						Motion to _____ filed.
6	X	X				Response ordered by _____. Response to motion filed.
CE						Hearing held.
1,6	X				X	Hearing set.
6	X	X	X		X	Hearing held on _____. Hearing recessed to _____.
6	X			X	X	Motion to _____ granted/denied, granted in part/denied in part, taken under advisement.
CE				X		Application for Death Sentence filed.
1, 6	X			X	X	Initial Hearing held on Application for Death Sentence. Hearing held on attorney qualifications under CR 24; order entered per CR 24.
1, 6	X			X	X	Motion for continuance filed/orally by _____. Hearing on _____ filed; Motion granted/denied. Trial/hearing reset to _____; defendant accepts dates.
6	X	X		X	X	Pre-trial Order entered.
CE		X	X			Amended Information(s) filed.
6	X	X	X	X	X	Set for hearing on _____. Amended Application for death
CE						

6	X	X	X	X	X	penalty filed.
1, 6	X			X	X	Set for hearing on _____.
CE						Hearing held on Amended Information(s)/Application.
5	X			X	X	Notice of Alibi filed.
5	X			X	X	Parties present; jury trial conducted on _____.
5	X			X	X	Jury trial not concluded and recessed to _____.
5	X			X	X	Jury trial concluded.
5	X			X	X	Verdict returned
5	X			X	X	Not Guilty verdict returned. Judgment of acquittal entered. Defendant ordered released.
5	X		X	X	X	Mistrial ordered. Trial reset for _____.
5	X			X	X	Death Penalty/bifurcated sentencing hearing held. Jury recommends ____/ Or _____.
7	X			X	X	Judgment of conviction entered.
6	X	X	X		X	Sentencing hearing set for _____. Presentence Investigation Report ordered returned to court by _____.
7	X			X	X	Sentencing hearing conducted.
7	X			X	X	Defendant sentenced to LWOP; term of years; death.
6,7	X	X		X	X	Defendant ordered executed pursuant to Indiana law.
CE				X	X	Abstract of Judgment prepared.
8, 6	X	X			X	Appellate counsel appointed per CR 24.
6	X	X		X	X	Judgment of conviction ordered sent to required entities under CR 24(F).
CE						Petition for Payment of Attorneys fees filed.
8, 6	X				X	Order approving payment of attorney's fees entered.
CE						Notice of Appeal filed by defendant.
6	X	X			X	Clerk shall prepare appeal transcript.
CE						Clerk completes the record of proceedings.
CE						Petition for payment of expert fees filed.
8, 6	X				X	Petition for payment of expert fees heard and granted
CE		X		X	X	Official opinion received from Supreme Court affirming/vacating decision of trial court.
CE		X				Correspondence received and filed.

Attachment No.1

PROBATION

<u>Type/Action</u>	<u>WCS</u>	<u>Notice</u>	<u>Calendar</u>	<u>RJO</u>	<u>Doc</u>	
CE						Probation Dept. files Presentence Investigation Report
CE		X				Petition to Revoke Probation filed.
6	X	X	X		X	Summon/Order to Appear
6	X	X	X		X	Court orders Clerk to issue warrant for Violation of Probation. No Bond/Bond set in the amount of \$_____. Own Recognizance/ Cash/Property/Surety
8	X		X		X	Initial Hearing on Probation Revocation Petition held. Defendant admits violation -OR- Defendant denies allegations in petition. Public Defender appointed/waived/denied. -OR- Private counsel enters appearance. Final hearing set for _____. Probation revoked. Abstract of Judgment ordered.
6,8	X			X	X	Probation continued under the following conditions: _____
6,8	X	X		X	X	Probation Department files Inter-Office Memorandum.
CE		X				Probation Department files notice of discharge from probation.
CE						
6	X	X		X	X	Order entered discharging defendant satisfactorily/unsatisfactorily from probation. Civil judgment entered for: Fees \$____, fines \$____, court costs \$____, administrative probation fee \$____, initial probation users fee \$____, monthly probation users fee \$____, public defender fee \$____, home detention fee \$____, other: _____. (\$____ indicates money owed by probationer).
6	X			X	X	Restitution reduced to civil judgment for \$____. (Note name of victim(s) on order.)

CE					Modification of probation conditions filed.	
6,8	X	X		X	X	Modification of probation granted/denied.
CE						Other sentence noted for purpose of sentencing on this case?
CE						Interstate transfer (Clerk assigns Crim. Misc. case no. for collection of prob. users fee.)
CE						Intrastate transfer (Clerk assigns Crim. Misc. case no. for collection of prob. users fee.)

Attachment No. 2